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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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August 1, 2002

ORIGINAL

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: *Progeny LMS, LLC Petition for Rulemaking to Amend Part 90 of the Commission's Rules Governing Location and Monitoring Service To Provide Greater Flexibility, RM-10403.*

Oral ExParte Presentation

Dear Ms. Dortch:

On Thursday, July 31, 2002, Freedom Technologies, Inc., President Janice Obuchowski, Halprin Temple law firm partner Albert Halprin and independent engineer Barclay Jones met with Edmond J. Thomas, Chief Engineer of the Office of Engineering and Technology (OET). The meeting also was attended by OET Deputy Chief Bruce A. Franca, Deputy Chief Julius P. Knapp, Policy and Rules Division Chief Alan J. Scrimme and Technical Rules Branch Chief Karen E. Rackley. The meeting was held to discuss several issues related to the above-captioned rulemaking petition, in which Progeny has sought changes in the rules governing Location and Monitoring Service (LMS) licensees in the 902-928 MHz band. Progeny has sought the elimination or modification of rules that:

- (1) Prevent the aggregation of existing multilateration LMS sub-bands;
- (2) Restrict real-time interconnection with the public switched telephone network (PSTN);
- (3) Restrict the types of communications or services that LMS operators may provide; and
- (4) Require field-testing of LMS devices and establish a "safe-harbor" presumption of noninterference to LMS operations by unlicensed wireless devices.

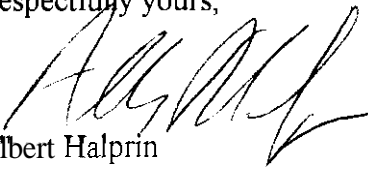
The meeting included a discussion of potential technical approaches to prevent undue interference between licensees and unlicensed operators in the 902-928 MHz band.

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Marlene H. Dortch, Secretary
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In accordance with Section 1.1206(b) of the Commission's Rules, please accept this original and one copy for submission. Should you have any questions or concerns in connection with this submission, please contact me at (202) 371-9100.

Respectfully yours,



Albert Halprin
Counsel

cc Richard Arsenault, WTB
Ed Thomas, OET
Alan Scrim
Bruce Franca
Julius Knapp
Karen Rackley